

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**THOMAS A. WELLS, SHARI L. HALL
AMANDA F. HALL, and ADAM L.
MULVANEY,**

Plaintiffs,

v.

**MICHAEL J. STANFILL, DAVE
GORELY, CINDY SCOTT, MIKE
HUBBARD, ERIC ZABER, LARRY
FOX, DAVE DAVIS, BRIAN LATHAM,
JOHN NICCUM, THAD BROCKETT,
TODD EBBERT, TONY STEPHENS,
and UNKNOWN FEDERAL and
STATE AGENTS,**

Defendants.

No. 05-CV-0811-DRH

ORDER

HERNDON, Chief Judge:

This matter comes before the Court for case management. On July 31, 2008, Plaintiffs filed a statement noting a party's death of Plaintiff, Thomas A Wells (Doc. 68). The Federal Rules of Civil Procedure provide that a motion for substitution of party must be made within 90 days of suggestions of death on the record. **See Fed.R.Civ.P. 25(a)**. The Court **INFORMS** Plaintiffs that they have up to and including to October 29, 2008 to file a motion for substitution of Plaintiff, Thomas A. Wells. If Plaintiffs fail to file a motion for substitution on or before October 29, 2008, Plaintiff Wells' claims will be dismissed.

IT IS SO ORDERED.

Signed this 11th day of August, 2008.

/s/ David R. Herndon

Chief Judge
United States District Court